

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA**

ROCK HILL DIVISION

JENNY R. CUNNINGHAM,]

Plaintiff,]

-vs-]

CA NO: 0:09-02984

] **ORDER**

LANCASTER HOSPITAL]

CORPORATION, a subsidiary]

of Community Health Systems]

Inc., also known as Springs]

Memorial Hospital,]

Defendant.]

This is a employment discrimination case filed by the plaintiff, Jenny R. Cunningham on November 12, 2009. The plaintiff alleges claims for race discrimination and retaliation in violation of pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S. C. §§ 2000e et. seq.

The plaintiff asserts that she was terminated by the defendant because of her race and in retaliation for filing a grievance regarding a suspension she received. The plaintiff seeks an award of compensatory and actual damages, back pay, front pay and equitable relief as well as attorney's fees and costs. The defendant denies the plaintiff's allegations and seeks summary judgment in this matter.

The matter is now before the Court upon the Report and Recommendation of the United States Magistrate Judge. The Magistrate Judge determined *inter alia* that the

plaintiff failed to establish a prima facie case of discrimination and failed to establish a prima facie case of retaliation. Accordingly, the Magistrate Judge recommends that the Court grant the defendant's motion for summary judgment.

As to his findings on dispositive matters, the Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. See Mathews v. Weber, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of those portions of the Recommendation to which specific objection is made.

Here, neither party has filed objections to the Magistrate Judge's recommendation. Nonetheless, this Court has made a *de novo* review of the record before it.

Upon careful consideration, the Recommendation of the Magistrate Judge is approved. For the reasons set forth in the Report and Recommendation of the Magistrate Judge, the defendant's motion for summary judgment is GRANTED.

IT IS SO ORDERED.

s/MATTHEW J. PERRY, JR.
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
June 28, 2011.